

## Appendix

### **Case – Radio Programme “Brunch with Noreen” broadcast from 10:00am to 12:00noon, 21 April 2023 on the Radio 3 Channel of Radio Television Hong Kong (RTHK)**

A member of the public complained that the captioned programme contained a vulgar expression (the Expression).

#### **The Communications Authority (CA)’s Findings**

In line with the established practice, the CA considered the complaint case and the representations of RTHK in detail. The CA took into account the relevant aspects of the case, including the following –

##### *Details of the Case*

- (a) the programme under complaint was a light-hearted talk show broadcast live between 10:00 am and 12:00 noon on the concerned date. During the discussions on health benefits of sex, the guest speaker uttered the Expression which was immediately reproved by the programme host that the Expression was not allowed on radio; and
- (b) RTHK admitted the lapse and submitted, among others, that its programme hosts were reminded again of the relevant programme standards requirements, particularly on the use of language, and that their programme guests would be reminded of the same.

***Relevant Provision in the Radio Code of Practice on Programme Standards (Radio Programme Code)***

- (a) paragraph 15 – expressions considered vulgar or unacceptable by an average person are to be avoided. Expressions that are definitely offensive are prohibited from use on radio.

**The CA's Consideration**

The CA, having regard to the relevant facts of the case including the information submitted by RTHK, considered that the Expression which was used in a sexual context by the guest speaker, was clearly audible in the programme. It was blatantly offensive and unacceptable for broadcast at all times, thereby constituted a clear breach of paragraph 15 of the Radio Programme Code.

**Decision**

In view of the above, the CA considered the complaint justified. Having taken into account the specific facts, circumstances of the case and other relevant factors (including that the programme was a live broadcast, the programme host had immediately reprovved the use of the Expression on radio, and the lapse of time since last breach of the same provision by RTHK), the CA decided that RTHK should be **advised** to observe more closely the relevant provision of the Radio Programme Code.